



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2021

CORAM

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.22021 of 2021

1.Subramani
2.Aandi
3.Ealumalai
4.Kumar

... Petitioners

Versus

The Inspector of Police,
Kariyalur Police Station,
Kallakurichi & District.
(Crime No.251 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on anticipatory bail in the event on their arrest by the respondent police in Crime No.251 of 2021 on the file of the respondent police.

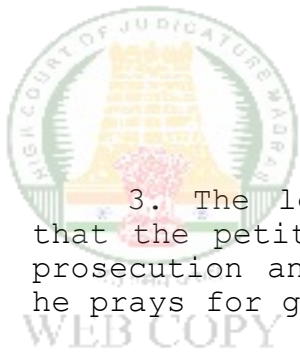
For Petitioners : Mr.V.Gunasekar

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehends arrest for the alleged offence under Sections 294(b), 323, 324, 506(ii) of IPC, in Crime No.251 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners jointly quarrel and attack the defacto complainant, the defacto complainant was contesting the local body election and he was lose the said election. The petitioners are jointly teasing the defacto complainant. Hence the complaint.



3. The learned counsel appearing for the petitioners submitted that the petitioners has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the victim was discharged and investigation is almost completed. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the fact, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sankarapuram, Kallakurichi District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall appear before the respondent police every Sunday at 10.30 a.m until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-
23/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
SANKRAPURAM, KALLAKURICHI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION].

3 THE INSPECTOR OF POLICE
KARIYALUR POLICE STATION,
KALLAKURICHI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S V.GUNASEKAR Advocate on payment of necessary charges
SR.NO.13335

CRL OP.22021/2021

Date :23/11/2021

JPA 26/11/2021